

City of Nogales
Planning & Zoning Commission
Special Use Permit Application



Special Use Permit Application Procedures

Uses designated as permitted by any zoning district regulation shall be permitted upon approval as provided herein this Article. No such approval shall be granted except upon compliance with all, of the regulations specified for the zoning district in which the use is sought to be maintained.

Each district in the City contains designated permitted uses. In addition to the designated permitted uses in each district, there are conditional uses, neither absolutely permitted as a right nor prohibited by law, which may be compatible within the district. These privileges, in a sense, which must be applied for and approved by the Planning & Zoning Commission.

Section 312.1 Legislated Accessory Uses

There shall be permitted, in addition to the uses enumerated in the several use districts, certain additional uses subject to the requirements of this section:

A special permit may be granted by the Council upon recommendation of the Planning Commission to establish the following uses in all districts in which such use is not otherwise allowed:

1. Cemetery: A crematorium, columbarium, mausoleum and mortuary may be permitted as an accessory use provided there is no direct access from these accessory uses to a public street.
2. Country Club, golf course, tennis club or other health or athletic club, provided, however, that this use shall not be construed to authorize a driving range, miniature golf course or similar use.
3. Microwave antenna on a tower structure higher than twenty five (25) feet; commercial radio, television or telephone microwave relay facility; commercial radio or television tower or broadcast antenna; and two-way mobile, communications antenna. The location and height of the tower shall be indicated on the application for a special permit.
4. Religious retreat, governmental, business, philosophical, University/college or other retreat.
5. Public horse riding stable or riding academy when located on a site of not less than ten (10) acres, provided that every structure for the sheltering of animals shall be set back at least one hundred (100) feet from every lot line.
6. Zoological, botanical gardens, aviary, arboretum.
7. Group Home, such as a developmental disability, sheltered home for battered women, runaways and other profit/non-profit organized and administered homes provided same is licensed by the State of Arizona for the intended purpose, and that no more than two (2) persons shall occupy each bedroom, and there are restroom facilities sufficient according to the State health laws.
8. Golf and baseball driving ranges.

The above requirements as to the size of site and building set-backs may be varied by the Council where special circumstances exist as to topography, drainage, flood hazard, or

peculiarity of the shape of the site and where such variance would not be materially detrimental to persons residing or working the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

Limited access to local or collector streets which serve residential districts may be allowed by the Council for reasons of safety and/or emergency.

Sand, gravel or other mineral extraction shall not be allowed in any residential district, except excavation for construction purposes, as a business where ancillary processes of the material excavated occurs. Excavated areas shall be prepared for re-use in accordance with the approved site plan.

A heliport or stop for hospitals, clinics, ambulance service and governmental use are allowed by special permit. Said permits shall require among other things the following standards:

- a) Frequency of use: on a daily bases, unless otherwise stipulated, not more than ten (10) combined takeoffs and landings are permitted for the heliport/stop use, exclusive of emergencies. The hours of operation may be stipulated to make operation compatible with surrounding land use activities.
- b) Fire protection: all heliport/stops shall comply with provision acceptable to the Nogales Fire Department.
- c) Site plan requirements: Site plan review will be based on an analysis of general conformance with FAA advisory circular AC 150/5390-B, Heliport Design Guide, dated August 22, 1977.
- d) Maximum length of a special permit issued for a heliport/stop is ten (10) years.
- e) Noise impact: A helicopter sitting on the touchdown pad of a heliport/stop shall emit a maximum noise level of no greater than 90dB (A) at the boundaries of the lot or parcel containing the nearest residential use, excluding high-rise residential developments, hotels, and motels.

A firing range for gunpowder weapons shall not be allowed in any residential district, whether indoor or outdoor, and no outdoor range shall be allowed within one mile of a hospital in any other district. Outdoor ranges shall require a special use permit, and other restrictions shall apply depending on the use permit, and other restrictions shall apply depending on the circumstances of location of the range. Special permits shall be issued with the provision that in the event a hospital locates within one mile of the nearest part of the range site, the special permit shall become null and void and shooting shall cease, outdoor.



City of Nogales Planning & Zoning Commission Application for Special Use Permit

No building or land shall be used where a use permit is specifically required by the terms of the Ordinance until a use permit for such use shall have been reviewed by the Planning & Zoning Commission and a final approval by the City Council. Any use lawfully established prior to enactment of the Ordinance, or prior to annexation, for which the use is permitted by the Ordinance subject to a use permit, shall be considered as being legally established.

No building permits will be issued by the City where a use permit is required until a use permit is obtained from the Planning and Zoning Director approved by the City Council. A completed application must be submitted to the Planning Department by the land owner or contractor. It is the purpose of this application and use permit to insure that all zoning requirements have been complied with in addition to Nogales General Plan.

Name of Applicant: _____

Address of Applicant: _____

Telephone number of Applicant/Owner: _____

Property Identification (Address, Lot No., Parcel I.D. No., Street, Section, Plat, etc.): _____

Reason (s) for Use Permit request: _____

(Attach extra sheets as needed)

Current zoning of property in question: _____

Is property currently a Non-Confirming Use? ☐ Yes ☐ No

REQUIRED DOCUMENTS

1. Complete project submittal
2. Site plan: 2 sets (24"x36"); 2 sets (11"x17")
3. List of adjoining property owners within a 300 foot radius (name and mailing address)
4. Project Narrative/Letter of Intent

Application Filing Fee: \$275.00

Signature of Applicant: _____ Date: _____

Office Use Only

Date Application Received: _____

Received By: _____

Docket Number: _____

BOA/UP: _____